

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gary Alan KEMP II et al.
Title: CLICK BASED TRADING WITH
INTUITIVE GRID DISPLAY OF
MARKET DEPTH
Appl. No.: 09/590,692
Filing Date: 06/09/2000
Examiner: R. Weisberger
Art Unit: 3624

TERMINAL DISCLAIMER

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Your Petitioner, Trading Technologies Inc., having its principal place of business at 222 S. Riverside Plaza, Suite 1100, Chicago, IL 60606, hereinafter represents that it is the owner of the entire right, title, and interest in and to U.S. Patent Application Serial No. 09/590,692, filed 06/09/2000, by virtue of an Assignment filed and recorded on October 2, 2000 on Reel/Frame 011188/0355 in the U.S. Patent and Trademark Office, a copy of which is attached hereto as APPENDIX A. Further, your Petitioner represents that it is the owner of U.S. Patent Application No. 09/894,637, filed 06/27/2001, by virtue of an Assignment filed and recorded on October 2, 2000 on Reel/Frame 011188/0355 in the U.S. Patent and Trademark Office, a copy of which is attached hereto as APPENDIX B.

Your Petitioner, Trading Technologies Inc., hereby disclaims the terminal part of the term of any patent granted on U.S. Patent Application 09/590,692 which would extend beyond the full statutory term, as shortened by any terminal disclaimer, of any patent granted on U.S. Patent Application 09/894,637, and hereby agrees that any patent so granted on U.S. Patent Application 09/590,692 shall be enforceable only for and during such period that the

legal title to any patent granted on U.S. Patent Application 09/894,637 shall be the same as the legal title to any patent granted on U.S. Patent Application 09/590,692, this agreement to run with any patent granted on U.S. Patent Application 09/590,692 and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, Petitioner does not disclaim any terminal part of any patent granted on U.S. Patent Application 09/590,692, prior to the full statutory term of any patent granted on U.S. Patent Application 09/894,637 as defined in 35 U.S.C. §§154-156 and 173, in the event that any patent granted on U.S. Patent Application 09/894,637 expires for failure to pay a maintenance fee, is held unenforceable or is found invalid in a final judgment by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321(a), has all claims canceled by a reexamination certificate or as a result of an interference proceeding, or is otherwise not deemed to provide the rights conveyed by 35 USC §154, prior to the full statutory term of any patent granted on U.S. Patent Application 09/894,637 as defined in 35 USC §§154-156 and 173, except for the separation of legal title stated above. Further, Petitioner does not disclaim any terminal part of a patent granted on U.S. Patent Application 09/590,692 that would extend beyond the present termination of any patent granted on U.S. Patent Application 09/894,637, in the event that such present term is extended by virtue of compliance with the conditions for term extension of any present or future patent term extension provisions of the patent law, including but not limited to 35 U.S.C. §§155, 155A or 156, and without waiving Petitioner's right to extend the term of a patent granted on U.S. Patent Application 09/590,692 to the extent provided by law.

The undersigned, being the Attorney of Record for U.S. Patent Application 09/590,692, and duly authorized to act on behalf of Petitioner, certifies that he has reviewed the Assignments attached as APPENDICES A and B, and to the best of his knowledge and belief, legal title to U.S. Patent Application 09/590,692 and any patent granted on U.S. Patent Application 09/894,637 rests with Petitioner, Trading Technologies Inc. The undersigned declares that all statements made herein of their own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or

imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-identified application or any patent issuing therefrom.

Respectfully submitted,

Date: October 20, 2003

By 
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